

# City of Calistoga Inclusionary Housing Ordinance

## Chapter 17.08 AFFORDABLE HOUSING

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### **17.08.010 Purpose.**

The City recognizes the importance of maintaining a balance in all residential areas of the community and the special needs of low-moderate income households. Because of the rising costs of land, the limited availability of land and resources such as sewer and water service, the private market has not been able to achieve this balance. Therefore, the City establishes the Calistoga Housing Trust Fund and the following regulations regarding the development of affordable housing in Calistoga.

### **17.08.020 Applicable projects.**

A. Residential Projects. All projects consisting of five or more residential units shall set aside and make available a minimum of 20 percent of the units within the project to households of low and moderate income.

B. Commercial and Industrial Projects. All new construction or additions to gross floor area

greater than 10 percent shall contribute an in lieu fee to the Calistoga Housing Trust Fund. Fees shall be assessed on a gross square foot basis for new floor area or area added in accordance with the following schedule.

<b>Land Use</b>	<b>Cost per Sq. Ft.</b>
Retail	\$0.80
Office	\$1.00
Tourist Accommodations	\$1.40
Industrial	\$0.50

For the purposes of this section, the fees for an interior remodel which involves a change in use shall be the fees for the new use as defined in the table above, less any fees that either were paid or would have been paid based on the original use of the building. In the event the original use of the building cannot be determined the last known use shall be the basis for calculation.

C. Exempt Projects. The following projects are exempt from the provisions of this chapter:

1. The precise portion of a development project for which a discretionary permit was approved on or before July 1, 1994, unless such discretionary permit has as a condition of approval or as an environmental mitigation measure, compliance with a similar program for housing;
2. Projects that are subject to a development agreement approved prior to July 1, 1994;
3. The precise portion of a project for which a valid building permit has been issued. Unless otherwise approved, a phased development, involving the construction of multiple buildings over a period greater than one year shall be subject to the provisions of this chapter;
4. Any development located on property owned and utilized by the State of California or United States of America; and
5. Any development operated by a nonprofit organization which provides benefits or services (i.e., homeless shelter, food distribution) to households of low-moderate income.

**17.08.030 Agreement required.**

A. For residential projects, prior to the issuance of a building permit or final map approval, whichever is applicable, the developer shall enter into an agreement with the City to set forth the provisions of affordability, regulate the sales and/or rental schedules, qualification of buyers, and/or tenants, etc.

B. For commercial or industrial projects, the fees established by Council resolution shall be paid in conjunction with the issuance of any building permits.

**17.08.040 Calistoga Housing Trust Fund.**

A. There is hereby established the City of Calistoga Housing Trust Fund (“Housing Fund”). Separate accounts within the fund may be created from time to time as deemed appropriate to further the purposes of the Housing Fund.

B. The Housing Fund shall be administered by the Napa Valley Housing Authority or other agent as designated by the Council.

C. Monies deposited into the Housing Fund shall be used to increase and improve the supply of housing affordable to households of moderate and low income.

D. The programs and distribution of monies within the Housing Fund shall be reviewed annually by the Council.

**17.08.050 Forms, filing and processing fees.**

A. All applications for affordable housing agreements shall be filed on forms provided by the planning department staff and accompanied by a filing fee as established by resolution of the Council. Processing fees, as established by said resolution, or by the Napa Valley Housing Authority for administration of the agreement will be charged to applicant as such are incurred. Applications shall not be considered complete until all fees, maps and other documents required at the time of filing of such application have been submitted.

B. Failure to complete payment of any fees or charges under this section will be considered sufficient grounds to discontinue the processing of the application. (Ord. 382 § 6, 1982).

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